



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,236	02/13/2001	David Russell Coburn II	10473-601	8011

7590 06/18/2004
McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 06/18/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

SL

Office Action Summary

Application No.

09/781,236

Applicant(s)

COBURN ET AL.

Examiner

Hai V. Nguyen

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.8.9.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the application filed on 13 February 2001 and the communication received on 21 March 2003.

2. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by **Razavi et al.** US patent no. **6,362,730 B2**.

5. As to claim 1, Razavi teaches substantially the invention as claimed, including a common platform for use with a host computer (*Fig. 2, item 22*) capable of controlling more than one type of equipment sensors, said common platform comprising:

a host interface (*Fig. 2, line between items 22, 23*) for communicating with said host computer;

a control interface (*Fig. 3*) for communicating with an equipment sensor (*a device*);

Art Unit: 2142

a memory (*Fig. 2, item 25*) for storing bootloader software; and

a processor (*Fig. 2, item 22, col. 6, lines 10-35*) coupled to said memory, said host interface and said control interface;

said processor executing said bootloader software for performing the steps of:

 downloading extension software into said memory (*col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*);

 determining the type of said equipment sensor (*col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*);

 downloading application software corresponding to the type of equipment sensor into said memory (*col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*); and

 executing said application software (*col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*).

6. As to claim 2, Razavi teaches, wherein said application software produces steps to configure said common platform to perform a predetermined function (*col. 6, lines 10-35*).

7. As to claim 3 Razavi teaches, wherein said equipment sensor is removably attached to said common platform (*Fig. 2, col. 6, lines 10-35*).

8. As to claim 4, Razavi teaches, wherein said host interface complies with a standard selected from a set of standards comprising Universal Serial Bus standard and RS232 standard (*Fig. 2, col. 6, lines 10-35*).

Art Unit: 2142

9. As to claim 5, Razavi teaches, further comprising a power control module for providing power to said common platform from a power source selected from a set of power sources consisting of a power source embedded in said common platform, a power source provided from said host computer, and a power source external to said common platform and external to said host computer (*col. 5, line 65 – col. 6, line 9*).

10. As to claim 6, Razavi teaches, wherein said equipment sensor is selected from a group of equipment sensors consisting of an alignment sensor, a gravity sensor, and an image-capturing device for capturing images of objects (*col. 9, lines 1-37*).

11. As to claim 7, Razavi teaches, wherein said processor sends information to said host computer indicating at least one of the following: the type of said equipment sensor; the version of said equipment sensor; and the version of said application software that has been loaded to said memory (*col. 9, line 1 – col. 10, line 31*).

12. As to claim 8 Razavi teaches, wherein said application software interfaces with said host computer to cause said host computer to run drivers corresponding to the function which said common platform is being performed (*col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*).

13. As to claim 9, Razavi teaches, wherein said bootloader software is stored in a first memory and said application software is stored in a second memory (*Fig. 2; col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*).

Art Unit: 2142

14. As to claim 10, Razavi teaches, wherein said first memory is a non-volatile memory (*Fig. 2; col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*).

15. Claim 11 recites all limitations similar to claim 1; therefore, it is rejected under the same rationale as in claim 1.

16. Claim 12 is corresponding method claim of claims 1,2; therefore, it is rejected under the same rationale as in claims 1, 2.

17. As to claim 13, Razavi teaches, sending a signal to said host computer indicating the existence of said common platform (*col. 5, line 10 – col. 6, line 57*).

18. Claim 14 is similar limitation of claim 6; therefore, it is rejected under the same rationale as in claim 6.

19. Claim 15 is similar limitation of claim 7; therefore, it is rejected under the same rationale as in claim 7.

20. Claim 16 is corresponding method claim of claims 1,2; therefore, it is rejected under the same rationale as in claims 1, 2.

21. Claim 17 recites all limitations similar to claim 11; therefore, it is rejected under the same rationale as in claim 11.

22. As to claim 18, Razavi teaches, wherein the common platform transfers information collected by the equipment sensor to the host computer and the processor downloads the application software corresponding to the equipment sensor from the host computer (*col. 2, lines 9-58; col. 9, line 22 – col. 10, line 65; col. 13, line 45 – col. 14, line 52; col. 15, lines 3-21*).

Art Unit: 2142

23. Claim 19 is similar limitation of claim 6; therefore, it is rejected under the same rationale as in claim 6.

24. Claims 20-22 are similar limitation of claim 7; therefore, it is rejected under the same rationale as in claim 7.

25. Claim 23 is corresponding a means plus function claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

26. Claim 24 is similar limitation of claim 7; therefore, it is rejected under the same rationale as in claim 7.

27. Claim 25 is corresponding a means plus function claim of claim 11; therefore, it is rejected under the same rationale as in claim 11.

28. Claim 26 is similar limitation of claim 7; therefore, it is rejected under the same rationale as in claim 7.

Art Unit: 2142

29. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142



JACK B. HARVEY
SUPERVISORY PATENT EXAMINER